

REMARKS/ARGUMENTS

Claims 1-10 and 73-78 are pending.

Claims 1-4, 8-10 and 73-78 are hereby amended.

1. Claim 1 was objected to because of informalities. Applicant's amendment points out that each of the first device and second device selectively permit communication with the other in order for communications to occur between the first and second devices.
2. Claims 73 and 76 were rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Support for Applicant's amendments to the claims is found in the specification (e.g., at page 7, lines 6-10) and in the related applications incorporated by reference (e.g., U.S. Appl. Ser. No. 08/852,556 now issued as U.S. Pat. No. 7,209,474, and also in others of the related and incorporated applications).
3. Claims 1-3, 5-6, and 8 were rejected under 35 USC 102(b) as being anticipated by Layson Jr. Applicant submits that Layson fails to disclose any permission by first device and second device in order for communications to occur between devices.

Applicant's amendments point out that first and second devices must each permit communications.

4. Claims 9-12 were rejected under 35 USC 102(e) as being anticipated by Drutman. Applicant's claims 11 and 12 were previously canceled.

Drutman fails to disclose a server computer that enables communications between first and second devices, via the server communicatively connected to the first device. The Drutman server does not communicate with the first device in communications between the devices.

Applicant's amendments point out that the first wireless device communicates with the server, in order to thereby communicate with the second device.

8. Claim 7 was rejected under 35 USC 103(a) over Layson Jr in view of Schwartz.

Applicant submits that the amendments distinguish from the base reference Layson, as discussed above. The combination of Schwartz with Layson does not teach or suggest features and limitations pointed out by Applicant's amendment to the intervening claims.

9. Claims 73-75 were rejected under 35 USC 103(a) over Layson Jr. in view of Levac.

Levac discloses certain non-standard protocols, however, the cited combination of references do not teach or suggest features and limitations pointed out by Applicant's amendment to the intervening claims.

10. Claims 76-78 were rejected under 35 USC 103(a) as being as being unpatentable over

Drutman in view of Levac. Drutman does not teach or suggest a server computer that enables communications between first and second devices, via the server communicatively connected to the first device during communications of first and second devices. Levac teaches and suggests only conversion of a message of one format to another format for dissemination to various communication devices in form receivable by those devices. The references alone and in combination do not teach or suggest communications between first and second devices, wherein the server is communicatively connected to the first device according to specialized protocols in order to enable the communications between devices.

11. Claim 4 was rejected under 35 USC 103(a) over Layson Jr. in view of Drutman.

Drutman does not teach or suggest a server computer that enables communications between first and second devices, via the server communicatively connected to the first device during communications of first and second devices. Levac teaches and suggests conversion of a

message to be disseminated to various communication devices in form receivable by those devices, but does not enable communications between first and second devices through a server that remains in communication with the first device to effect the communication of first and second devices.

Applicant respectfully requests withdrawal of the objection and rejections and allowance of all pending claims, as amended.

If the Examiner has any questions or comments, the undersigned attorney for Applicant respectfully requests a call to discuss any issues. The Office is authorized to charge any excess fees or to credit any overage to the undersigned's Deposit Account No. 50-1350.

Respectfully submitted,

Date: April 9, 2008

By: / H. Dale Langley, Jr. /
H. Dale Langley, Jr.
Reg. No. 35,927

The Law Firm of H. Dale Langley, Jr.
610 West Lynn
Austin, Texas 78703
Telephone: (512) 477-3830
Facsimile: (512) 480-0858
E-Mail: dlangley@iptechlaw.com